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MEMO ENDORSED

9 November 2011

Stephen A. Katz (MA, NY & PA)  
Honorable Cathy Seibel  
Federal Building and United States Courthouse  
Clerk's Office  
300 Quarropas Street, 1st floor  
White Plains, NY 10601-4150

By fax to (914) 390-4278

Re: Hutter v. Countrywide Bank, N.A., Civil Action no. 09-CV-10092 (CS) (LMS)

Dear Judge Seibel:

Please excuse my stupidity, but I have not filed the Third Amended Complaint by the Court's deadline of 31 October 2011 because I overlooked the Court's Endorsed Letter of 26-OCT-2011. I did not realize—when I read the online case docket sheet—that "Endorsed Letter" means that a letter contains an order of the Court. Instead I assumed from that heading that the letter was attorney Kenneth Rudd's letter to the Court, and so I have been waiting for a response from the Court to attorney Rudd's and my letters, not realizing that entry no. 45 contained that response.

If the Court will grant me till 5 P.M. on 11 November 2011, I will file the Third Amended Complaint by that deadline. Thank you for your consideration, and thank you for modifying your Order of 23 September 2011.

*Plaintiff to file Third Amended Complaint  
no later 11/14/11. No further extensions*

Sincerely yours,

*Stephen A. Katz*  
Stephen A. Katz

So Ordered.

*Cathy Seibel*  
\_\_\_\_\_  
Cathy Seibel, U.S.D.J.

Dated: 11/11/11

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: <u>11/15/2011</u>
DATE FILED: <u>11/15/2011</u>

SDNY CM/ECF Version 4.1.1

Page 1 of 1

**Motions**

7:09-cv-10092-CS Hutter v. Country Wide Bank, N.A.  
ECF

**U.S. District Court**

**Southern District of New York**

**Notice of Electronic Filing**

The following transaction was entered by Katz, Stephen on 11/9/2011 at 7:04 PM EST and filed on 11/9/2011

**Case Name:** Hutter v. Country Wide Bank, N.A.  
**Case Number:** 7:09-cv-10092-CS  
**Filer:** Nance M. Hutter  
**Document Number:** 46

**Docket Text:**

**MOTION for Extension of Time to File Third Amended Complaint. Document filed by Nance M. Hutter.(Katz, Stephen)**

**7:09-cv-10092-CS Notice has been electronically mailed to:**

David Barry Chenkin dchenkin@zeklaw.com, mantonovich@zeklaw.com

Kenneth C. Rudd krudd@zeklaw.com

Scott Tod Ackerman ackis38@aol.com

**7:09-cv-10092-CS Notice has been delivered by other means to:**

Stephen A. Katz  
Stephen A. Katz, P.C  
111 John Street, Suite 800  
New York, NY 10038

The following document(s) are associated with this transaction:

**Document description:** Main Document

**Original filename:** n/a

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[STAMP\_dcecfStamp\_ID=1008691343 [Date=11/9/2011] [FileNumber=9253854-0] [5f5fc62b21601748eb7e6333408918fd5144515e244eb5079f36d06b7fa9724488f45b939c9d2328f6d042128433ef974f3c5b81a63af086b70f885624fd73e7]]

## Stephen A. Katz, P.C.

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# Fax

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**To: Honorable Cathy Seibel**

**From: Stephen A. Katz**

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**Fax: 9143904278**

**Pages: 3**

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**Re: Hutter v. Countrywide**

**Date: November 09, 2011**

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Dear Judge Seibel:

I have sent with this cover page:

1. my letter-motion asking until 11 November 2011 to file the Third Amended Complaint.

Sincerely yours,

Stephen A. Katz  
(212) 349-6400

111 John Street Suite 800, New York, NY 10038-3180

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